

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

CIVIL ACTION NO. 04 CV 10746 JLT

---

IVAN SANTIAGO,  
Plaintiff

v.

MARCUS EDDINGS  
Defendants

---

**DEFENDANT MARCUS EDDINGS' PROPOSED VERDICT ON SPECIAL QUESTIONS  
TO THE JURY**

As to each question you are directed to answer, state your answer by placing a check mark in the blank beside the word that indicates your finding.

**Body Cavity Search – Santiago v. Eddings**

1. Do you find that the Plaintiff, Ivan Santiago, has established by a preponderance of evidence that on March 20, 2003, the Defendant, Marcus Eddings, performed an anal body cavity search on him, that is, that Sergeant Marcus Eddings inserted his finger into Santiago's rectum?

NO \_\_\_\_\_ YES \_\_\_\_\_

If NO, proceed to Question 3. If YES, proceed to Question 2.

2. If you answered YES to question 1;

Do you find that the Plaintiff, Ivan Santiago, has established by a preponderance of evidence that Sergeant Eddings's action(s) proximately caused the Plaintiff to suffer any injury?

NO \_\_\_\_\_ YES \_\_\_\_\_

*Proceed.*

**Massachusetts Civil Rights Act – Santiago v. Eddings**

3. Do you find that that the Plaintiff, Ivan Santiago, has established by a preponderance of evidence that Sergeant Eddings interfered with Santiago's lawful exercise or enjoyment of rights secured by the Constitution or laws of the United States by the use of threats,

intimidation and coercion by giving him a body cavity search, that is, by Sergeant Eddings inserting his finger into Santiago's rectum?

NO \_\_\_\_\_ YES \_\_\_\_\_

4. If you answered YES to question number 3, do you find that the Plaintiff, Ivan Santiago, has established by a preponderance of evidence that Sergeant Eddings' action proximately caused the Plaintiff to suffer injury?

NO \_\_\_\_\_ YES \_\_\_\_\_

*Proceed*

**Damages**

7. What amount of damages, if any, do you award to the plaintiff against (Answer in dollars or NONE):

(a) Marcus Eddings \$ \_\_\_\_\_

---

DATE

---

FOREPERSON

Respectfully submitted,  
DEFENDANT MARCUS EDDINGS  
William F. Sinnott  
Corporation Counsel

By his attorneys:

/s/ Helen G. Litsas  
Thomas Donohue, BBO #643483  
Helen G. Litsas, BBO# 644848  
Assistant Corporation Counsel  
City of Boston Law Department  
Room 615, City Hall  
Boston, MA 02201  
(617) 635-4039 (Donohue)  
(617) 635-4023 (Litsas)

Dated: November 8, 2006

**CERTIFICATE OF SERVICE**

I hereby certify that this document was filed through the ECF system and will therefore be sent electronically to the registered participants as identified on the Notice of Electric Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on November 8, 2006.

/s/ Helen G. Litsas  
Helen G. Litsas